

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

Criminal No. 05-10164-GAO

GUILLERMO FREDERICO VASCO
Defendant.

UNITED STATES' PROPOSED
VOIR DIRE EXAMINATION QUESTIONS

I. OUTLINE OF INDICTMENT

Let me begin by saying a few words about the nature of this case. The indictment in this case charges the defendant, GUILLERMO FREDERICO VASCO, with four counts of using either the mail or the telephone to solicit the commission of the murder of his wife and in a fifth count, with using the mail to solicit the murder of his daughter, all in violation of Title 18, United States Code, Sections 1958 and 2.

II. PARTIES AND WITNESSES

[After defendant, counsel, and case agent are introduced]

1. Do any of you know the defendant, Guillermo Vasco?
2. Do any of you know the attorney for the defendant, Melvin Norris?
3. Do any of you know the attorneys for the United States of America, Sandra S. Bower and Rachel E. Hershfang?
4. I will read [or have the attorneys read] the names of persons who may appear as witnesses. Please advise me, after their names have been read, whether you know them or have any

acquaintance with them. [Counsel or Court read witness lists.]

III. CONFLICTS WITH SERVICE - NATURE OF CASE

1. It is anticipated that this trial will be concluded in about four or five days, and, because of certain scheduling conflicts and the federal holiday, that it will extend into the week of November 13, 2006. Would it be too inconvenient for any of you, because of your job or other personal reasons, to serve on this jury and to concentrate on the trial and its proceedings with your full attention and render a fair and impartial verdict?

2. Is there anything about the nature of the charge or the type of offense with which the defendant is charged that would in any way affect your ability to sit as a fair and impartial juror?

IV. GENERAL QUESTIONS TO PANEL

1. Have any of you ever served on a jury before?

(a) Federal Court:

(1) Civil

(2) Criminal

(b) State Court:

(1) Civil

(2) Criminal

2. Without stating the result, were you able to reach a verdict in the case?

3. Has anything ever happened to you while serving as a juror prior to this case that would make it difficult for you now

to serve as a fair and impartial juror?

4. Have any of you ever appeared before a Grand Jury as a witness and given testimony? Have any of you ever served as a member of a Grand Jury? If so, how many times?

5. Have any of you ever appeared in Court either as a witness in a case or as a party in a lawsuit?

6. Have any of you ever had any claim or lawsuit or any other type of litigation against or with the United States or one of its agencies? I am speaking now of a lawsuit or some type of administrative proceeding. The agency could be the Internal Revenue Service, the Federal Housing Administration, the Social Security Administration, and so forth. If so, please explain.

7. Are any of you suffering from a physical disability, especially one involving hearing, which would make it difficult for you to serve as a juror during the trial of this case?

8. Have any of you ever been the victim of a crime?

9. Have any of you ever been charged with a criminal offense? What was the charge? Do you believe you were treated fairly?

10. Do you have any close friends or relatives who have been charged with a criminal offense? What was the charge? Do you believe they were treated fairly?

11. Have any of you ever been questioned by a Federal or State investigative officer? If so, please explain. Do you believe you were treated fairly?

12. This is, of course, a criminal case wherein the law sets forth certain punishments to be applied in the sole discretion of the Judge, within bounds as set forth by Congress. Are there any of you who, for religious, moral, ethical or philosophical reasons, would simply rather not be called upon to decide the guilt or innocence of the accused?

13. The Court will give you instructions on the law at the conclusion of all the evidence and the argument of counsel. Will you abide by these instructions on the law and apply the law to the facts?

14. If one or more of the instructions on the law given to you by the Court are in conflict with your own personal beliefs, or if you disagree with any one of the Court's instructions, will you still abide by the Court's instructions on the law and put your own personal beliefs aside?

15. In considering your verdict, do all of you realize that the term "reasonable doubt" which will be used during the course of this trial does not mean a speculative or fanciful doubt, and that the law does not require a person to be proved guilty to a mathematical certainty?

16. If the Government proves the defendant guilty beyond a reasonable doubt, would any of you hesitate to return a verdict of guilty as charged? On the other hand, should the Government fail to prove the defendant guilty beyond a reasonable doubt, would any of you hesitate to return a verdict of not guilty?

17. Do you conscientiously believe you can render a fair and impartial verdict free from any prejudice or bias for or against the Government or the defendant?

18. Are you, a family member, or a close friend or business associate involved in the criminal justice system as a prosecutor, a defense attorney, an employee of either a prosecutor or a defense attorney, or as a law enforcement officer?

V. ADDITIONAL QUESTIONS TO PANEL

1. Have any of you, or any members of your family or close friends, had any experience with domestic violence? Is there anything about this experience which would in any way affect your ability to sit as a fair and impartial juror?

2. You may hear evidence about a "cooperating witness," someone who has a criminal background, but worked with law enforcement agents in this investigation. Are you aware of any prejudice that you may have against such a person, that would in any way impair your ability to evaluate and judge fairly and impartially the testimony offered by such a cooperating witness?

3. You also will hear evidence that the investigation of this case involved a law enforcement officer who, acting in an undercover capacity, posed as a "hit man" and recorded meetings and

conversations with the defendant. Is there anything about this investigative technique that would in any way impair your ability to render a fair and impartial verdict?

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Sandra S. Bower
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Dated: October 31, 2006

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and mailed to all those not participating in ECF.

/s/ Sandra S. Bower
Sandra S. Bower